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**Transportation Committee**

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**HB 1179**

**Brief Description:** Authorizing a pilot project for high-occupancy toll lanes.

**Sponsors:** Representatives Murray, Shabro, Wallace, Woods, Jarrett, Simpson, Springer, Dickerson, Quall, Armstrong, Kenney, Clibborn and McIntire; by request of Department of Transportation.

**Brief Summary of Bill**

- Authorizes a pilot High Occupancy Toll (HOT) lanes project on State Route 167.
- Uses the High Occupancy Vehicle (HOV) lanes, charging tolls for use by single occupancy vehicles based on time of day and traffic congestion.
- Project expires four years after tolling begins and uses of toll revenues are prescribed.

**Hearing Date:** 1/31/05

**Staff:** Beth Redfield (786-7347).

**Background:**

High Occupancy Vehicle (HOV) lanes are highway lanes reserved part-time or full-time for vehicles carrying a minimum number of occupants. The object of these lanes is to facilitate the operation of transit vehicles and other multi-occupant vehicles, allowing them to avoid congestion and providing those vehicles with improved travel times. There are currently over 200 miles of HOV lanes in operation in the central Puget Sound area. During certain periods, HOV lanes are operating below capacity while adjacent general purpose lanes are congested.

High Occupancy Toll (HOT) lanes are lanes that are open to carpools, vanpools, transit vehicles, and toll-paying single occupant vehicles. The goal for establishing these lanes is to provide a higher level of service for multi-occupant vehicles, while permitting single occupant vehicles to use surplus capacity in the lane by paying a toll. The HOT lanes have been employed in several corridors in California.

The Department of Transportation has authority to designate HOV lanes on state highways. It does not, however, have the authority to designate HOT lanes and impose charges for the use of those lanes. The Transportation Commission as part of its evaluation of HOV lanes directed the Department of Transportation (DOT) to evaluate the feasibility of converting a portion of the HOV lane system to HOT lanes. The DOT staff identified a portion of State Route 167 as the best candidate to implement a HOT lane pilot project.

**Summary of Bill:**

The DOT is permitted to establish and operate a HOT lane pilot project along the nine miles of high occupancy vehicle (HOV) lanes on State Route 167 within King County. Tolls on the project are to be established by the Transportation Commission and may vary in amount by time of day, level of traffic congestion, vehicle occupancy or other criteria. Special tolls may be provided for zero emission vehicles. During peak hours, the tolls must be adjusted to maintain HOT lane performance of at least 45 miles per hour for at least 90 percent of the time. The DOT is directed to mitigate impacts to HOV lane users and address safety issues. The DOT is to report annually to the Transportation Commission and the Legislature on the project impacts on operational efficiency, effectiveness for transit, sufficiency of financing through tolls, and impacts on all highway users and modal choices. Surveys are authorized to determine this information.

The conversion of an existing HOV lane to a HOT lane is declared a policy exception for this pilot project. Construction of the facilities to implement the toll project must begin within four years or the HOT lane pilot authority expires and the tolling authorization is limited to a period of four years. Violation of the restricted access portion of a HOV lane is a traffic infraction.

The HOT lanes operations account is created in the state treasury. Interest on the account accrues to the account. Money in the account may be used for financing the improvements, toll collections enforcement, and maintenance on the facility and carpools, vanpools, and transit services in the corridor.

The personally identifying information of persons using transponders to facilitate payment of tolls is exempted from the public disclosure but the information may be disclosed in aggregate by census tract. Law enforcement agencies may only access personally identifying information for toll enforcement purposes, except by court order.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Section 5 of the bill is effective immediately. The remainder of the bill takes effect 90 days after adjournment of session in which bill is passed.